

**R315. Environmental Quality, Solid and Hazardous Waste.****R315-9. Emergency Controls.****R315-9-1. Immediate Action.**

In the event of a spill of hazardous waste or material which, when spilled, becomes hazardous waste, the person responsible for the material at the time of the spill shall immediately:

- (a) Take appropriate action to minimize the threat to human health and the environment.
- (b) Notify the Utah State Department of Environmental Quality, 24-hour Answering Service, 801-536-4123 if the following spill quantities are exceeded:
  - (1) One kilogram of material listed in paragraph R315-2-10(e), which includes F999 and incorporates by reference 40 CFR 261.31, and which is an acute hazardous waste identified with a hazard code of (H), or in R315-2-11(e), which incorporates by reference 40 CFR 261.33(e). Notify for a spill of a lesser quantity if there is a potential threat to human health or the environment; or
  - (2) One hundred kilograms of hazardous waste or material which, when spilled, becomes hazardous waste, other than that listed in R315-2-11(e), which incorporates by reference 40 CFR 261.33(e). Notify for a spill of a lesser quantity if there is a potential threat to human health or the environment.
- (c) Provide the following information when reporting the spill:
  - (1) Name, phone number, and address of person responsible for the spill.
  - (2) Name, title, and phone number of individual reporting.
  - (3) Time and date of spill.
  - (4) Location of spill - as specific as possible including nearest town, city, highway or waterway.
  - (5) Description contained on the manifest and the amount of material spilled.
  - (6) Cause of spill.
  - (7) Emergency action taken to minimize the threat to human health and the environment.
- (d) An air, rail, highway, or water transporter who has discharged hazardous waste shall:
  - (1) Give notice, if required by 49 CFR 171.15 to the National Response Center, 800-424-8802 or 202-426-2675; and
  - (2) Report in writing as required by 49 CFR 171.16 to the Director, Office of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, D.C. 20590.
- (e) A water, bulk shipment, transporter who has discharged hazardous waste must give the same notice as required by 33 CFR 153.203 for oil and hazardous substances.

**R315-9-2. Emergency Control Variance.**

If a spill of hazardous waste requires immediate removal to protect human health or the environment, as determined by the Executive Secretary, a variance may be granted by the Executive Secretary to the manifest and recordkeeping requirements of these rules until the spilled material and any residue or contaminated soil, water or other material resulting from the spill no longer presents an immediate hazard to human health or the environment, as determined by the Executive Secretary.

**R315-9-3. Spill Clean-up.**

The person responsible for the material at the time of the spill shall clean up all the spilled material and any residue or contaminated media or other material resulting from the spill or take action as may be required by the Executive Secretary so that the spilled material, residue, or contaminated media no longer presents a hazard to human health or the environment as defined in R315-101. The cleanup or other required actions shall be at the expense of the person responsible for the spill. If the person responsible for the spill fails to take the required action, the Department may take action and bill the responsible person.

**R315-9-4. Reporting.**

Within 15 days after any spill of hazardous waste or material which, when spilled, becomes hazardous waste, and is reported under R315-9-1(b), the person responsible for the material at the time of the spill shall submit to the Board or the Executive Secretary a written report which contains the following information:

- (a) The person's name, address, and telephone number;
- (b) Date, time, location, and nature of the incident;
- (c) Name and quantity of material(s) involved;
- (d) The extent of injuries, if any;
- (e) An assessment of actual or potential hazards to human health or the environment, where this is applicable; and
- (f) The estimated quantity and disposition of recovered material that resulted from the incident.

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